



Journal of the Senate

State of Indiana

114th General Assembly

First Regular Session

Fifth Meeting Day

Tuesday Afternoon

January 11, 2005

The Senate convened at 1:40 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Reverend Matthew Barnes, Hope Baptist Church, Dillsboro, the guest of Senator Johnny Nugent.

The Pledge of Allegiance to the Flag was led by Senator Nugent.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Antich-Carr	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Clark	Mishler
Craycraft <input checked="" type="checkbox"/>	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Server
Harrison	Simpson
Heinold	Sipes
Hershman	Skinner
Howard	Smith
Hume	Steele
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 6: present 49; excused 1. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 331 — Craycraft (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

SB 332 — M. Young (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning

education.

SB 333 — Waltz (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 334 — M. Young (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 335 — Simpson (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 336 — Simpson (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 337 — Hershman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 338 — Hershman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 339 — Hershman (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation. (Vehicle Bill)

SB 340 — Lawson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 341 — Lawson (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 342 — Antich-Carr (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning human services. (Vehicle Bill)

SB 343 — Antich-Carr (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 344 — Antich-Carr (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 345 — Antich-Carr (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers. (Vehicle Bill)

SB 346 — Antich-Carr (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 347 — Sipes (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 348 — Server (Commerce and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 349 — Server (Appropriations)

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

SB 350 — Skinner (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

SB 351 — Broden (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 352 — Broden (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 353 — Broden (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

SB 354 — Broden (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 355 — Waterman (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 356 — Waterman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 357 — Waterman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 358 — M. Young (Pensions and Labor)

A BILL FOR AN ACT concerning state and local administration.

SB 359 — Gard (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 360 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 361 — Broden (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 362 — Broden (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 363 — Broden (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 364 — Broden (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 365 — Lawson (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

SB 366 — Lawson (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 367 — Kenley (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 368 — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 369 — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 370 — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 371 — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 372 — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 373 — Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 374 — Server (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 375 — Server (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 376 — Lawson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning

human services.

SB 377 — Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 378 — Weatherwax, Jackman, Waterman (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 379 — Weatherwax (Commerce and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 380 — Ford (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 381 — Ford (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

SB 382 — Altling (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 383 — Riegsecker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 384 — Meeks (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 385 — Meeks (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 386 — Landske (Appropriations)

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

SB 387 — Sipes (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 388 — Server (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 389 — Weatherwax (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 390 — Mrvan (Judiciary)

A BILL FOR AN ACT concerning criminal law and procedure.

SB 391 — Mrvan (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning

taxation.

SB 392 — Zakas (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 393 — Kruse, M. Young, Drozda (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 394 — Kruse (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 395 — Broden (Commerce and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

SB 396 — Broden (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 397 — Landske (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 398 — Howard (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 399 — Howard (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning human services. (Vehicle Bill)

SB 400 — Clark (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SJR 1 — M. Young (Judiciary)

A JOINT RESOLUTION proposing an amendment to Article 7 of the Constitution of the State of Indiana concerning the judiciary.

SJR 6 — Ford (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to Article 5 of the Constitution of the State of Indiana.

SJR 8 — Sipes (Appropriations)

A JOINT RESOLUTION proposing an amendment to Article 8 of the Constitution of the State of Indiana concerning education finance.

SJR 9 — Simpson (Elections and Civic Affairs)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana by adding Article 17 and by striking out Article 4, Section 5 of the Constitution of the State of Indiana.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 165, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 196, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "booking agent" and insert "**matchmaker**".

Page 1, line 5, after "agent," insert "**a booking agent,**".

Page 2, line 24, delete ":" and insert "**the following:**".

Page 2, line 25, delete "information" and insert "**Information**".

Page 2, line 25, delete "; and" and insert "**that must:**

(A) be obtained through a criminal history background check in compliance with Indiana law, at the applicant's expense; and

(B) include all states of residence of the individual after the individual became eighteen (18) years of age."

Page 2, line 26, delete "financial" and insert "**Financial**".

Page 2, delete lines 30 through 42.

Page 3, delete lines 1 through 15.

Renumber all SECTIONS consecutively.

(Reference is to SB 196 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 304, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senators Merritt, Rogers, Server, Sipes, Gard, Lutz, Dillon, Heinold, and Hershman be added as coauthors of Senate Bill 304.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as second author of Senate Bill 44.

GARD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as second author and Senator M. Young be added as coauthor of Senate Bill 117.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Bill 337.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second author of Senate Bill 81.

CRAYCRAFT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second author of Senate Bill 82.

CRAYCRAFT

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, January 13, 2005.

GARTON

Motion prevailed.

The Senate adjourned at 1:56 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate